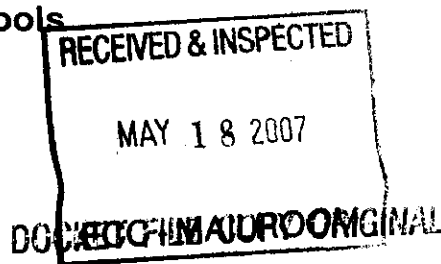




## Propel Charter Schools



On behalf of Propel Charter Schools the following Appeal is being submitted:

May 7, 2007

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

CC Docket No. 96-45 and CC Docket No. 02-6

### **REQUEST FOR WAIVER OF APPEAL DEADLINE AND APPEAL OF USAC DECISION**

Billed Entity Name: **PROPEL CHARTER SCHOOLS**

Billed Entity Number: **16020506**

Contact Name: **STEVE MANDARINO**

Contact Address: **716 HOWARD STREET, CANONSBURG, PA 15317**

Contact Phone: **412-303-4841**

Contact E-mail: **STEVEMANDARINO@ADVANEDGESOLUTIONS.COM**

Funding Year: **JULY 1<sup>ST</sup>, 2006 THROUGH JUNE 30<sup>TH</sup>, 2007**

Form 471 #: **520936**

Funding Request Number: **1434009**

Attachment: **IC-4**

### **Request for Waiver of Appeal Deadline**

Because this appeal is being filed later than 60 days from the date of the Funding Commitment Letter, we are hereby requesting a waiver of the FCC rule which requires appeals to be filed within the 60 day appeal window. In this case, the Applicant's failure to file the appeal within 60 days of the FCDL date does not create a situation where waste, fraud or abuse of program resources will occur. Under the Bishop Perry Order, clerical or ministerial mistakes that do not give rise to potential waste, fraud or abuse are permitted to be corrected, even when such mistakes result in missed deadlines. In a recent appeal decision, Friendship House Appeal, File No. SLD-314307, CC Docket No. 02-6 (Order released December 4, 2006), the FCC waived the 60 day deadline for filing an appeal, given that the appeal was meritorious and was necessitated by SLD's commission of a substantive error. The same situation is present in the instant case. Indeed, this is a situation where SLD should have discovered the error giving rise to the funding denial and should have taken steps to proactively correct this error, so as to eliminate the need altogether for filing the appeal.



## Propel Charter Schools

### Appeal of USAC Decision

This appeal is based on information gathered during the research process relative to this particular Funding Request. The Funding Commitment Letter pertaining to this particular FRN stated that the item was denied funding due to "ineligible services or function equating to 30% or greater" ruling. The Item for which funding was/is being sought is the "**Cisco ASA5520-BUN-K9**" firewall package. Responding to this denial, the equipment manufacture (Cisco) was contacted to verify that the item was indeed 100% eligible as initially submitted. After reviewing all submitted supporting documentation and description of eligible items/services within the "2006 USAC Eligible Services List" (page 34) no cause was discovered which supported the funding denial. Please see the following excerpt from their response:

"Steve:

Good morning! The ASA5520-BUN-K9 is, in fact, 100% eligible for support. It appears that this was a mistake or oversight by the PIA review staff (which does occur from time to time.) The ASA5520 "Firewall Edition" bundle's functionality is consistent with the language in the 2006 Eligible Services List (attached for your convenience):

#### Firewall (Data Protection)

Description: A firewall is a hardware and software combination that sits at the boundary between an organization's network and the outside world, and protects the network against unauthorized access or intrusions.

Eligibility: A firewall is eligible for discount if it provides basic and reasonable security protections to prevent unauthorized access to the information, software, and systems of an applicant's eligible components.

In addition, the ASA5520 (specifically the ASA5520-BUN-K9) does meet the SLD's required (but not published) "basic firewall" requirement, as it is a basic stateful packet inspection firewall and does not contain other (ineligible) security features such as intrusion prevention/detection, NAC, or Anti-X services.

The cost-allocation worksheet you reference (from the <http://cisco.fundsforlearning.com> website) has been provided to the SLD for their reference, but it appears that the funding request reviewer may have been provided inaccurate or incomplete information. Regardless, a properly constructed appeal for the firewall denial should have a good chance of being granted.

I hope this information is helpful - if you have further questions please do not hesitate to contact us!

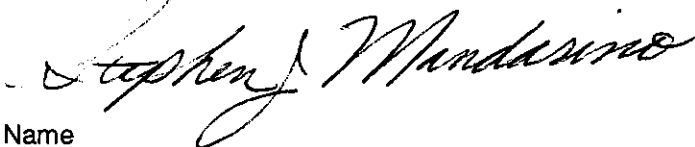
**BRIAN STEPHENS**  
Senior Systems Analyst"

## Propel Charter Schools



Additionally, please note the attached hard copies of our submittal to the Cisco FundsForLearning Helpdesk, their response, a copy of our submitted Item 21 Attachment for this FRN (IC-4) and a printout of the Cisco E-rate Eligibility status for the item in review. Based on this investigation it is concluded that the SLD was in error of their review/assessment of this component and Propel Charter Schools respectfully request that the FCC reverse this denial and remand the application back to the SLD for full funding for this FRN.

Respectfully submitted,



Name

Steve Mandarino: E-rate Consultant for Propel Charter Schools

716 HOWARD STREET

CANONSBURG, PA 15317


[steve mandarino@advanedgesolutions.com](mailto:steve mandarino@advanedgesolutions.com)


412-303-4841

## cisco.fundsforlearning.com contact form submission

Name:	Steve Mandarino
Company:	Advanedge Soultions
Customer <del>Base</del> Name:	(PROPEL Charter Schools)
Title:	CTO
Address 1:	716 Howard Street
Address 2:	
City:	Canonsburg
State:	PA
ZIP:	15317
Email:	stevemandarino@advanedgesolutions.com
Phone:	724-747-4358
Relationship:	Cisco Partner
Message:	<p>Dear Cisco E-rate Consultant: We applied for the following Cisco part number ASA5520-BUN-K9 in FY 2006 but it was denied, stating: "'30% or more of this FRN includes a request for Cisco firewall bundle which is an ineligible product(s)/service(s) based on program rules." Yet the Cisco website indicates that this product is 100% E-rate eligible. See: <a href="http://cisco.fundsforlearning.com/ASA5500Eligibility2006-10-02.xls">http://cisco.fundsforlearning.com/ASA5500Eligibility2006-10-02.xls</a> We intend to appeal this ruling, but we first need Cisco to research and verify that this part # is 100% eligible and if so, why. We will then include that research in our appeal. Thank you and we look forward to hearing from you as soon as possible. Steve Mandarino</p>

☐ Text version of this message. (2KB)

 image001.gif (13KB)

 image002.gif (300B)

 2006 Eligible Services List.pdf (976KB)

[Previous](#)

[Next](#)

**Read Message**[Previous](#)[Next](#)[Move To](#)[Select One](#)**From:** Brian Stephens <bstephens@fundsforlearning.com>[\[ add to contacts \]](#)**To:** stevemandarino@advanedgesolutions.com**Cc:** Cisco Help Desk <ciscohelpdesk@fundsforlearning.com>**Date:** Thursday, April 26, 2007 11:12 am**Subject:** RE: Cisco Helpdesk Contact Form Submission

Steve:

Good morning! The ASA5520-BUN-K9 is, in fact, 100% eligible for support. It appears that this was a mistake or oversight by the PIA review staff (which does occur from time to time.) The ASA5520 "Firewall Edition" bundle's functionality is consistent with the language in the 2006 Eligible Services List (attached for your convenience):

**Firewall (Data Protection)**

Description: A firewall is a hardware and software combination that sits at the boundary between an organization's network and the outside world, and protects the network against unauthorized access or intrusions.

Eligibility: A firewall is eligible for discount if it provides basic and reasonable security protections to prevent unauthorized access to the information, software, and systems of an applicant's eligible components.

In addition, the ASA5520 (specifically the ASA5520-BUN-K9) does meet the SLD's required (but not published) "basic firewall" requirement, as it is a basic stateful packet inspection firewall and does not contain other (ineligible) security features such as intrusion prevention/detection, NAC, or Anti-X services.

The cost-allocation worksheet you reference (from the <http://cisco.fundsforlearning.com> website) has been provided to the SLD for their reference, but it appears that the funding request reviewer may have been provided inaccurate or incomplete information. Regardless, a properly constructed appeal for the firewall denial should have a good chance of being granted.

I hope this information is helpful - if you have further questions please do not hesitate to contact us!



**BRIAN STEPHENS**  
Senior Systems Analyst

[bstephens@fundsforlearning.com](mailto:bstephens@fundsforlearning.com)  
phone 405.471.0945  
fax 405.341.7008

501 South Coltrane Road  
Suite 100

# Cisco ASA5500 Series E-rate Eligibility

October 02, 2006

SKU	Eligible %	Description	Notes
ASA5510-BUN-K9	100%	Cisco ASA 5510 Firewall Edition includes 3 Fast Ethernet interfaces, 250 IPSec VPN peers, 2 SSL VPN peers, Triple Data Encryption Standard/Advanced Encryption Standard (3DES/AES) license	
ASA5510-SEC-BUN-K9	100%	Cisco ASA 5510 Security Plus Firewall Edition includes 5 Fast Ethernet interfaces, 250 IPSec VPN peers, 2 SSL VPN peers, Active/Standby high availability, 3DES/AES license	
ASA5520-BUN-K9	100%	Cisco ASA 5520 Firewall Edition includes 4 Gigabit Ethernet interfaces + 1 Fast Ethernet interface, 750 IPSec VPN peers, 2 SSL VPN peers, Active/Active and Active/Standby high availability, 3DES/AES license	
ASA5540-BUN-K9	100%	Cisco ASA 5540 Firewall Edition includes 4 Gigabit Ethernet interfaces + 1 Fast Ethernet interface, 5000 IPSec VPN peers, 2 SSL VPN peers, 3DES/AES license	
ASA5510-SSL50-K9	100%	Cisco ASA 5510 VPN Edition includes 250 IPSec VPN peers, 50 SSL VPN peers, Firewall services, and 3 Fast Ethernet interfaces	
ASA5510-SSL100-K9	100%	Cisco ASA 5510 VPN Edition includes 250 IPSec VPN peers, 100 SSL VPN 100 peers, Firewall services, and 3 Fast Ethernet interfaces	
ASA5510-SSL250-K9	100%	Cisco ASA 5510 VPN Edition includes 250 IPSec VPN peers, 250 SSL VPN peers, Firewall services, and 3 Fast Ethernet interfaces	
ASA5520-SSL500-K9	100%	Cisco ASA 5520 VPN Edition includes 750 IPSec VPN peers, 500 SSL VPN peers, Firewall services, 4 Gigabit Ethernet interfaces and 1 Fast Ethernet interface	
ASA5540-SSL1000-K9	100%	Cisco ASA 5540 VPN Edition includes 5000 IPSec VPN peers, 1000 SSL VPN peers, Firewall services, 4 Gigabit Ethernet interfaces and 1 Fast Ethernet interface	
ASA5540-SSL2500-K9	100%	Cisco ASA 5540 VPN Edition includes 5000 IPSec VPN peers, 2500 SSL VPN peers, Firewall services, 4 Gigabit Ethernet interfaces and 1 Fast Ethernet interface	
ASA5500-SSL-10	100%	10 SSL VPN Users	
ASA5500-SSL-25	100%	25 SSL VPN Users	
ASA5500-SSL-50	100%	50 SSL VPN Users	
ASA5500-SSL-100	100%	100 SSL VPN Users	
ASA5500-SSL-250	100%	250 SSL VPN Users	
ASA5500-SSL-500	100%	500 SSL VPN Users	
ASA5500-SSL-750	100%	750 SSL VPN Users	
ASA5500-SSL-1000	100%	1000 SSL VPN Users	
ASA5500-SSL-2500	100%	2500 SSL VPN Users	
ASA5510-AIP10-K9	44%	Cisco ASA 5510 IPS Edition includes AIP-SSM-10 module, Firewall services, 250 IPSec VPN peers, 2 SSL VPN peers, and 3 Fast Ethernet interfaces	Intrusion Prevention functionality allocated

# **PROPEL CHARTER SCHOOLS**

## **YEAR 9 E-RATE**

Item 21 Attachment				
<b>Applicant:</b> Propel Charter Schools <b>BEN:</b> 16020506 <b>Contact:</b> Remy Bibaud (412-563-8043)		<b>Attachment:</b> IC-4 <b>471 Application:</b> 520936 <b>FRN#:</b> 1434009		
<b>Pricing as per:</b> PEPPM State Contract				
<b>Vendor/s:</b> ePlus Technology		<b>SPIN#:</b> 143006553		
<b>Description:</b> This equipment is needed to address Firewall requirements for the identified school buildings. The equipment is consistent with the new LAN standards for the schools, as outlined in the District's updated Technology Plan, and will support LAN functionality along with Internet/School-to-School WAN connectivity. This entity (16020506) qualifies for 87% collaborative funding consideration. See attached school equipment details listing.				
Quantity	Product or Service Description	Unit Cost	Extended Pre-discount Cost	
			Recurring	Non-Recurring
1	Cisco ASA 5520 Appliance w/SW, 300 VPN Peers, 4GE + 1FE, 3DES/AES (Part #ASA5520-BUN-K9)	5,070.43		\$5,070.43
		<b>TOTAL:</b>		<b>\$5,070.43</b>



Advantage Solutions  
716 HOWARD ST.  
CANONSBURG PA 15317  
C/O Propel Charter Schools



12 MAY 2007 PM

12 MAY

MARLENE-H. DORTCH, SECRETARY  
FEDERAL COMMUNICATIONS COMMISSION  
Office of the Secretary  
445 12th Street, SW  
WASHINGTON, DC 20554

TW-B204

